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**IDAPA 02
TITLE 04
CHAPTER 29**

02.04.29 - RULES GOVERNING FUR FARMS

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Title 25, Chapter 30, Idaho Code. (10-1-05)T

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 02.04.29, “Rules Governing Fur Farms”. (10-1-05)T

02. Scope. These rules govern the operation of fur farms in Idaho. The official citation of this chapter is IDAPA 02.04.29.000 et seq. For example, this Section’s citation is IDAPA 02.04.29.001. (10-1-05)T

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (10-1-05)T

003. ADMINISTRATIVE APPEAL.

Persons may be entitled to appeal agency actions authorized under these rules pursuant to Title 67, Chapter 52, Idaho Code. (10-1-05)T

004. INCORPORATION BY REFERENCE.

01. Incorporated Documents. This chapter incorporates the following document by reference: Code of Federal Regulations, Title 9, Part 161, January 1, 2005. (10-1-05)T

02. Availability of Documents. Copies of these documents may be obtained from the Idaho State Department of Agriculture Central Office. (10-1-05)T

005. ADDRESS, OFFICE HOURS, TELEPHONE, AND FAX NUMBERS.

01. Physical Address. The central office of the Idaho State Department of Agriculture is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (10-1-05)T

02. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (10-1-05)T

03. Mailing Address. The mailing address for the central office is Idaho State Department of Agriculture, P.O. Box 790, Boise, Idaho 83701-0790. (10-1-05)T

04. Telephone Number. The telephone number for the Division of Animal Industries at the central office is (208) 332-8540. (10-1-05)T

05. Fax Number. The fax number for the Division of Animal Industries at the central office is (208) 334-4062. (10-1-05)T

006. IDAHO PUBLIC RECORDS ACT.

These rules are public records available for inspection and copying at the Central Office of the Idaho State Department of Agriculture. (10-1-05)T

007. -- 009. (RESERVED).

010. DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of this chapter. (10-1-05)T

01. Accredited Veterinarian. A veterinarian approved by the Administrator and the USDA/APHIS/

VS, in accordance with provisions of Title 9, Part 161, Code of Federal Regulations, to perform functions of State-Federal animal disease control programs. (10-1-05)T

02. Administrator. The administrator of the Division of Animal Industries, Idaho State Department of Agriculture, or his designee. (10-1-05)T

03. Animal. Any member of the animal kingdom, except man. (10-1-05)T

04. Cage. An area for confining fur farm animals that is enclosed on all sides and meets generally accepted fur farm industry standards as determined by the Administrator. (10-1-05)T

05. Department. The Idaho State Department of Agriculture. (10-1-05)T

06. Director. The director of the Idaho State Department of Agriculture or his designee. (10-1-05)T

07. Division. Idaho State Department of Agriculture, Division of Animal Industries. (10-1-05)T

08. Domestic Fur-Bearing Animal. Any fur-bearing animal owned by a person for the express purpose of producing a pelt or replacement animals for a fur farm. (10-1-05)T

09. Federal Animal Health Official. An employee of the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services who is authorized to perform animal health activities. (10-1-05)T

10. Fur Farm. A premises located in Idaho where domestic fur-bearing animals are held or kept, in cages, and the fur farm is actively engaged in raising domestic fur-bearing animals for the purpose of producing pelts or breeding stock for fur farms that are actively engaged in producing pelts. (10-1-05)T

12. Fur-Bearing Animal. Any fur-bearing animal. (10-1-05)T

13. Operator. The person who has authority to manage or direct a premises or other area where animals are kept. (10-1-05)T

14. Owner. The person who owns or has financial control of premises or other areas where animals are kept. (10-1-05)T

15. Person. Any individual, association, partnership, firm, joint stock company, joint venture, trust, estate, political subdivision, public or private corporation, or any legal entity, which is recognized by law as the subject of rights and duties. (10-1-05)T

16. Premises. The ground, area, buildings, enclosures, cages, and equipment utilized to keep, hold, or maintain animals. (10-1-05)T

17. State Animal Health Official. The Administrator, or his designee, responsible for disease control and eradication activities. (10-1-05)T

011. ABBREVIATIONS.

01. CFR. Code of Federal Regulations. (10-1-05)T

02. IDFG. Idaho Department of Fish and Game. (10-1-05)T

03. ISDA. Idaho State Department of Agriculture. (10-1-05)T

04. USDA. United States Department of Agriculture. (10-1-05)T

012. -- 019. (RESERVED).

020. APPLICABILITY.

These rules apply to all fur farms in Idaho. (10-1-05)T

021. INSPECTIONS.

In order to ascertain compliance with this chapter, state and federal animal health officials are authorized to enter and inspect fur farm premises during normal business hours. (10-1-05)T

022. -- 099. (RESERVED).

100. FUR-BEARING ANIMALS.

No owner or operator of a fur farm shall take from the wild any fur-bearing animals in Idaho. (10-1-05)T

101. IMPORTATION OF DOMESTIC FUR-BEARING ANIMALS.

No person shall import any domestic fur-bearing animals into Idaho, except to a fur farm. (10-1-05)T

102. IMPORT PERMIT AND CERTIFICATE OF VETERINARY INSPECTION.

All fur-bearing animals imported, pursuant to Section 101 of this rule, shall be accompanied in transit by an import permit issued by the Administrator, any permits required by the IDFG, and an official certificate of veterinary inspection. (10-1-05)T

103. CONTENTS OF CERTIFICATES OF VETERINARY INSPECTION.

All certificates shall be written, legibly, and attest that the animal(s) meet the importation requirements of the state of Idaho. The certificate shall be on an official form from the state of origin, be approved by its livestock sanitary official, and be issued by an accredited veterinarian. An equivalent form of the USDA issued by a federal animal health official is acceptable in lieu of a certificate of veterinary inspection. All certificates shall contain the following information: (10-1-05)T

01. Name and Address. Name and address of the consignor and consignee; and (10-1-05)T

02. Origin of Shipment. Including city and state; and (10-1-05)T

03. Final Destination. Final destination of shipment in Idaho, including city; and (10-1-05)T

04. Description of Animals. An accurate description of each animal; and (10-1-05)T

05. Purpose of Shipment. The purposes for which the animals were shipped; and (10-1-05)T

06. Method of Transportation; and (10-1-05)T

07. Health Status. The certificate shall indicate the health status of the animals involved including dates and results of inspection and of tests and vaccinations, if any, required by the state of Idaho; and (10-1-05)T

08. Signature. The signature of the accredited veterinarian, or state or federal animal health official, conducting the veterinary inspection. (10-1-05)T

09. Submission of Certificate. The required copies of certificates of veterinary inspection or other approved certificates shall be submitted, within thirty (30) days of inspection, to the Division. (10-1-05)T

10. Period of Certificate Validity. Certificates of veterinary inspection shall be valid for no longer than thirty (30) days after the date of inspection. (10-1-05)T

104. -- 199. (RESERVED).

200. LOCATION OF DOMESTIC FUR-BEARING ANIMALS.

All domestic fur-bearing animals located in Idaho shall be confined on fur farms. (10-1-05)T

201. CONFINEMENT OF DOMESTIC FUR-BEARING ANIMALS.

All domestic fur-bearing animals shall be confined in appropriate facilities, as determined by the Administrator. These facilities shall be constructed and maintained to: (10-1-05)T

01. Prevent Escape. Prevent the escape of domestic fur-bearing animals. (10-1-05)T

02. Prevent Ingress of Wildlife. Prevent the ingress of free ranging wildlife that could be negatively impacted by the confined domestic fur-bearing animals. (10-1-05)T

03. Assure Animal Care. Assure the appropriate level of animal care. (10-1-05)T

202. -- 299. (RESERVED).

300. DISPOSITION OF FUR-BEARING ANIMALS WITHIN IDAHO.

No person shall release into the wild within Idaho, any domestic fur-bearing animal. (10-1-05)T

301. EXPORT OF DOMESTIC FUR-BEARING ANIMALS.

Any domestic fur-bearing animals exported from Idaho shall meet all applicable federal regulations for the interstate movement of animals. (10-1-05)T

302 -- 399. (RESERVED).

400. DEAD ANIMALS.

All domestic furbearing animals that die, or are euthanized, shall be disposed of in accordance with IDAPA 02.04.17 "Rules Governing Dead Animal Movement and Disposal". (10-1-05)T

401. -- 989. (RESERVED).

990. PENALTIES FOR VIOLATIONS.

Any person who violates the provisions of this chapter shall be subject to the penalty provisions of Section 25-3006, Idaho Code. (10-1-05)T

991. -- 998. (RESERVED).

999. MINOR VIOLATIONS.

Nothing in this chapter shall be construed as requiring ISDA to report minor violations when ISDA believes that the public interest will be best served by suitable warnings or other administrative actions. (10-1-05)T

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